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OCT 28 2008

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPC I CON V  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of: :  
Errico et al. :  
Application No.: 10/663,486 : Group Art Unit: 3738  
Filed: September 16, 2003 : Examiner: B. E.  
For: INTERVERTEBRAL SPACER DEVICE :  
HAVING RECESSED NOTCH PAIRS FOR :  
MANIPULATION USING A SURGICAL :  
TOOL

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MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT UNDER RULE 312

Dear Sir:

In response to the Notice of Allowance and Examiner's Amendment dated July 31, 2008, Applicants submit the following amendment and remarks.

915511.1.DOC